

Amendments to Senate Bill No. 9
1st Reading Copy

Requested by Senator Roger Webb

For the Senate Public Health, Welfare and Safety Committee

Prepared by Sue O'Connell
February 10, 2015 (3:45pm)

1. Title, page 1, line 7.

Strike: "50-16-805,"

2. Page 1.

Following: line 7**Insert:** "WHEREAS, it is in the interest of all Montanans to address prescription drug abuse and diversion; and

WHEREAS, health care providers who are subject to the Health Insurance Portability and Accountability Act are permitted to disclose health care information for law enforcement purposes, including the purposes of notifying authorities of suspected criminal conduct that has occurred on a provider's premises and reporting information to lessen a serious and imminent threat to the health or safety of a patient or the public; and

WHEREAS, Montana's Uniform Health Care Information Act is unclear on whether these provisions similarly apply to health care providers who are not subject to the Health Insurance Portability and Accountability Act; and

WHEREAS, it is in the interest of all Montanans for health care providers to report these activities to law enforcement to address, among other matters, prescription drug abuse and diversion and to ensure the safety of Montana communities; and

WHEREAS, the granting of immunity to certain health care providers for reporting these activities would encourage reporting of potential criminal activity or public health threats."

3. Page 2, line 21 through page 3, line 6.

Strike: section 3 in its entirety**Renumber:** subsequent section

4. Page 3, line 26.

Following: "information"**Insert:** "to federal, state, or local law enforcement authorities"**Following:** "50-16-805(2)"**Strike:** "(c)"

5. Page 3, line 27.

Following: "disclosure was"**Insert:** ": (i)"

6. Page 3, line 28.

Following: "good faith"

Strike: "and"

Insert: "; (ii)"

7. Page 3, line 29.

Following: "part 164"

Insert: "; and

(iii) to notify the authorities of an activity that the provider in good faith believed constituted evidence of criminal conduct that occurred on the provider's premises or to prevent or lessen a serious and imminent threat to the health or safety of a person or the public"

- END -